

## BOARD OF SELECTMEN – MARCH 14, 2011

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### **I. Call to Order/Roll Call**

Chairman Alex Vispoli called the Regular meeting of the Board of Selectmen to order at 7:00 P.M. in the Selectmen's Conference Room at the Town Offices. Present were: Chairman Vispoli and Selectmen Mary Lyman, Ted Teichert, Brian Major and John Hess. Also present: Town Manager Buzz Stapczynski, Assistant Town Manager Steve Bucuzzo, and Town Clerk Larry Murphy. The meeting was duly posted and cable-cast live.

### **II. Opening Ceremonies**

Chairman Vispoli asked for a Moment of Silence followed by the Pledge of Allegiance.

### **III. Public Hearing**

#### **A. Retail Package Store All-Alcoholic Beverage License**

Chairman Vispoli opened the public hearing at 7:05 P.M. and reported that LeBlanc's Fine Wines & Spirits, Inc., d/b/a LeBlanc's Fine Wines & Spirits, 77 Main Street – Unit A, Andover, MA, has applied for a Retail Package Store All-Alcoholic Beverage License at 77 Main Street, Andover, MA. Gene G. LeBlanc will be the designated Manager of record. The application has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

Mr. LeBlanc, 21 Corbett Street, stated that an agreement was reached with Mr. Gilbert as to the new name (d/b/a LeBlanc's Fine Wines & Spirits) and that the location of the store will be Unit A at 77 Main Street.

Brian McGann, Manager of Driscoll's Package Store on Bartlett Street, said he is opposed to approval of the license. He states there is no public need for more liquor licenses in the vicinity of Main Street as there are a sufficient number (5 within one mile area), the location is within 500 feet of a school and he believes there was a procedural error made at the first public hearing.

Selectman Major said the Board takes public safety into account, they have a letter of approval from the St. Augustine Parish Community and have not received any negative feedback from the public. The Board is not in the position of deciding a free and open market but is responsible for granting of the license. The Board takes a very strong position on the sale of alcohol to minors. It will be Mr. LeBlanc's challenge to have a structure in place to ensure no alcohol is served to under-aged individuals.

Selectman Lyman reported that she offered to explain to the landlord why they did not act upon Mr. LeBlanc's request at the first public hearing. There were no inappropriate assurances given.

Mr. LeBlanc understands the concerns expressed by Mr. McGann but he is not any less able to perform the diligent task of verifying identifications and expects to be a responsible business man.

Selectman Lyman moved that the Board approve the application for an annual, All-Alcoholic Retail Package Store license for Andover Fine Wines & Spirits, Inc., d/b/a LeBlanc's Fine Wine & Spirits at 77 Main Street, Unit A, Andover, subject to the

condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Major and unanimously approved.

**IV. Adjourn to Joint Meeting with Finance Committee**

The Board adjourned from Regular Session at 7:40 P.M. to move into the Joint Meeting with the Finance Committee. The Board returned to Regular Session at 9:48 P.M.

**V. Regular Business**

**A. Extension of Intermunicipal Agreement**

Selectman Major motioned to approve the extension of the Intermunicipal Agreement between the Town of Andover and the Town of North Reading for Potable Water Service for ninety (90) days. The motion was seconded by Selectman Teichert and voted 5-0 to approve.

**VI. Adjournment**

On a motion by John Hess with a second by Mary Lyman it was unanimously voted to adjourn the Regular Meeting at 9:45 P.M.

Respectfully submitted,

Dee DeLorenzo  
Recorder

Documents: Letter from St. Augustine Parish Community  
Public Hearing Notification and Application  
Inter-Municipal Agreement Extension – Town of Andover and Town of North  
Reading